

Authorities in Kazakhstan harassed and detained independent journalists throughout 2014 and closed the few remaining independent media outlets. The government also continued to enforce a 2011 law on religion that criminalized one-third of previously legal organizations, as well as believers who met without registration.

As economic complaints reemerged during the year over a currency devaluation and uneven urban development, authorities took steps to quell public demonstrations, including arresting children protesting eminent domain evictions from their homes. Other activists faced targeted sexual harassment and preemptive detainment before a protest could even take place. New legislation on labor rights tightened already harsh restrictions and made independent unions illegal.

Political Rights and Civil Liberties:

Political Rights: 6 / 40 [Key]

A. Electoral Process: 2 / 12

The Kazakhstani constitution grants the president considerable control over the legislature, the judiciary, and local governments. Kazakh Communist Party leader Nursultan Nazarbayev won an uncontested presidential election in December 1991, two weeks before Kazakhstan gained its independence from the Soviet Union, and has not left office since. Under the current constitutional rules, Nazarbayev may serve an indefinite number of five-year terms. Constitutional changes have consistently consolidated power for the president and his party, Nur Otan. Although Nazarbayev rejected a 2009 proposal to make him president for life, a 2010 constitutional amendment gave him immunity from prosecution and made his family's property effectively inviolable. In 2011, Nazarbayev was reelected in a snap presidential poll with 96 percent of the vote. His three little-known competitors all publicly expressed support for him.

The upper house of the bicameral Parliament is the 47-member Senate, with 32 members chosen by directly elected regional councils and 15 appointed by the president. The senators serve six-year terms, with half of the 32 elected members up for election every three years. The lower house (Mazhilis) has 107 deputies, with 98 elected by proportional representation on party slates and nine appointed by the Assembly of Peoples of Kazakhstan, which represents the country's various ethnic groups. Members serve five-year terms.

Parties must clear a 7-percent vote threshold to enter the Mazhilis, and once elected, deputies must vote with their party. Parties are barred from forming electoral blocs. A 2009 amendment to the electoral law guarantees the second-ranked party at least two seats in the Mazhilis if only one party passes the 7-percent threshold.

In 2012 elections for the lower house, Nur Otan took 83 of the 107 seats, Ak Zhol won 8, and the Communist People's Party secured 7. Monitors from the Organization for Security and Co-operation in Europe (OSCE) noted that the elections did not meet democratic norms. In October 2014, Nur Otan took all the seats that were up for election in the Senate. Regional councils dominated by Nur Otan appointed the candidates.

B. Political Pluralism and Participation: 3 / 16

Aside from Nur Otan, two parties—Ak Zhol and the Communist People's Party—won representation in the 2012 Mazhilis elections, each earning just over 7 percent of the vote. Neither is considered an opposition party because they are loyal to the president.

In order to register, a party must have 40,000 members. In 2012, a court invoked laws against “extremism” to ban the unregistered opposition Algha Party and the People's Front opposition movement. It also found Algha leader Vladimir Kozlov guilty of heading an illegal group, inciting social hatred, and calling for the violent overthrow of the constitutional order. He was sentenced to seven and a half years in prison.

Mukhtar Ablyazov, billionaire former banker and opposition member, is in prison in France. Ukraine and Russia, on behalf of Kazakhstan, accuse Ablyazov of stealing from the bank he once ran. In October 2014, a French court approved his extradition to Russia on the condition that he not be released to a third country; Kazakhstan has no extradition treaty with France. In late December, Muratbek Ketebaev, a cofounder of Algha, was arrested in Spain at the request of the Kazakh government. Ketebaev had fled Kazakhstan in 2011, when he was charged in absentia for inciting violence and planning a terrorist attack.

Political parties based on ethnic origin, religion, or gender are prohibited. The Russian and Kazakh languages officially have equal status, but in 2011, newly rigorous Kazakh-language testing for candidacy in the presidential election eliminated many opposition candidates.

C. Functioning of Government: 1 / 12

Corruption is widespread at all levels of government. In June 2014, the Agency for Combating Economic Crimes and Corruption (Financial Police) released data showing \$1.6 billion was recorded as embezzled in Kazakhstan in 2013 and the first five months of 2014. Corruption cases were prosecuted at all levels, from local administrations to regional governors and corporate elites, but at a high level charges are filed unevenly, usually only after an official has fallen out of favor and fled the country. Kazakhstan ranked 126 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

Civil Liberties: 18 / 60 (-1)

D. Freedom of Expression and Belief: 4 / 16

While the constitution provides for freedom of the press, the government has repeatedly harassed or shut down independent media outlets. Members of the president's family and other powerful groups control most of the country's outlets, including publishing houses. Libel is a criminal offense, and the criminal code prohibits insulting the president. Self-censorship is common.

Independent journalists frequently suffer attacks, arrests, and pressure from authorities. In 2011, police used emergency powers to arrest or detain journalists attempting to cover unrest in Zhanaozen and neighboring cities. Since then, raids on independent media outlets and the harassment and detention of

journalists have increased. New regulations in 2012 gave the Ministry of Culture and Information expanded powers to combat “unofficial or negative information” about any crisis. Since 2012, courts have shut down dozens of independent newspapers, television channels, and news websites on charges of “extremism.”

Most of the few remaining independent media groups faced pressure throughout 2014. Authorities closed outlets, blocked attempts to open new publications to replace those that had been banned, and prosecuted independent journalists for libel. Weekly newspapers *Assandi Times* and *Pravdivaya Gazeta* were shut down on legal technicalities. The journal *Adam Bol* was ordered closed in October on charges of “inciting participation in a foreign war” after publishing an interview with an activist who mentioned supporting the Ukrainian government against Russian-backed separatist forces.

The authorities or elites in power use extralegal methods to squelch dissent or criticism. For example, criticism of Almaty’s mayor by Dina Baidildayeva, a blogger and social networks editor at Radio Free Europe/Radio Liberty, was followed by months of vicious sexual harassment against her online, with multiple social media accounts created in her name and filled with pornographic content. In March, journalist Natalya Sadykova was charged with criminal libel and for the first time an arrest warrant was issued pursuant to the charges, prompting Sadykova and her family to flee the country. In December, *Adam Bol* editor Gulzhan Ergaliyeva was attacked and beaten outside her apartment while she was in the midst of a public campaign protesting the shutdown of *Adam Bol*.

The government has a record of blocking websites that are critical of the regime. The list of banned websites has continually expanded since 2012 to include hundreds of sites. The authorities also intensified measures to restrict circumvention tools like Tor and virtual private networks (VPNs) that enable secure and uncensored internet access, which are popular with opposition journalists and activists.

The constitution guarantees freedom of worship, and some religious communities practice without state interference. However, laws passed in 2005 banned all activities by unregistered religious groups and give the government great discretion in outlawing organizations it designates as “extremist.” Local officials have harassed groups defined as “nontraditional,” including Protestant Christians, Jehovah’s Witnesses, and Muslims. A 2011 law required reregistration of all religious groups, giving the government unprecedented authority to regulate religious communities, and forbidding religious expression in government institutions. The process of reregistration was used to cull one-third of the country’s religious organizations, exposing unregistered believers to arrest and prosecution. These new rules continue to be enforced. In many cases, local authorities and courts prosecute believers beyond the authority of the law. Courts have sentenced defendants to forced psychiatric care for their religious beliefs, though no such provision exists in legislation.

The government reportedly permits academic freedom, except regarding criticism of the president and his family. Corruption in the education system is widespread; the Education Ministry has reported that students pay an average bribe of \$275 to their professors in exchange for passing grades on their final exams at the end of each semester.

E. Associational and Organizational Rights: 2 / 12 (–1)

Despite constitutional guarantees, the government imposes restrictions on freedoms of association and assembly. Police frequently break up unsanctioned opposition gatherings. In 2014, authorities sometimes acted outside the boundaries of the law to prevent protests over social and economic issues. In February, riot police arrested dozens of protesters in Almaty who expressed anger over the devaluation of the

currency. In March, police in Astana arrested a group of women and their children protesting eminent domain evictions from their homes. The following week, in an unprecedented step, police took activist Dilnar Insenova into custody in Almaty because she allegedly planned to protest the children's arrests. She was preemptively fined \$500 for an "unsanctioned protest" that never took place.

Nongovernmental organizations continue to operate but face government harassment surrounding politically sensitive issues. Workers can form and join trade unions and participate in collective bargaining, though coopted unions and close links between the authorities and big business make for an uneven playing field. In June 2014, the government passed additional strict legislation governing the formation and activities of trade unions, making it illegal for independent unions to form or operate or for unions to call on members to participate in a strike ruled unlawful by any court. In December, police broke up a demonstration and arrested construction workers in Astana protesting unpaid wages.

F. Rule of Law: 4 / 16

The constitution makes the judiciary subservient to the executive branch. Judges are subject to political bias, and corruption is evident throughout the judicial system. Conditions in pretrial facilities and prisons are harsh. Police at times abuse detainees and threaten their families, often to obtain confessions, and arbitrary arrest and detention remain problems.

Members of the sizable Russian-speaking minority have complained of discrimination in employment and education. Migrant workers from neighboring countries often face poor working conditions and a lack of legal protections.

Kazakhstan decriminalized homosexual activity in 1998, but the LGBT (lesbian, gay, bisexual, and transgender) community continues to face societal discrimination. In May 2014, an Astana woman was killed and her body was dismembered and burned. In 2013, she and her partner had held a symbolic wedding. Her partner was arrested as a suspect in the murder. Also in May, same-sex marriage opponents built a brick wall in front of a gay night club in Almaty.

G. Personal Autonomy and Individual Rights: 8 / 16

Kazakhstani citizens can travel freely but must register their permanent residence with local authorities. In 2014 the government instituted a new system of fines for anyone living at an unregistered residence or renting to unregistered tenants. The right to choose institutions of higher education is formally protected but has been plagued by corruption, which the government is attempting to control.

While the rights of entrepreneurship and private property are formally protected, bureaucratic hurdles limit equality of opportunity. Clannish elites and government officials control large segments of the economy. Astana residents whose homes have been demolished to make way for large construction projects have said they were denied legally guaranteed compensation.

Traditional cultural practices and the country's economic imbalances limit professional opportunities for women. Domestic violence often goes unpunished, as police are reluctant to intervene in what are regarded as internal family matters. Despite legal prohibitions, the trafficking of women for the purpose of prostitution remains a serious problem. Child labor in agriculture has been reported.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

[Full Methodology](#)